

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

ADAM KEUNE, ET AL.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	No. 4:12-cv-547 HEA
)	
MERCK & CO., INC., ET AL.)	
)	
Defendants.)	

**PLAINTIFFS' MOTION TO REMAND AND
REQUEST FOR EXPEDITED CONSIDERATION**

COME NOW Plaintiffs in the above-styled case and for Plaintiffs' Motion to Remand and Request for Expedited Consideration state as follows:

1. Defendants have improperly filed a Notice of Removal with this Court knowing that there is an absence of complete diversity of citizenship between the parties. In addition, Defendants have done so in direct contradiction to the Eighth Circuit's clear holding in *In re Prempro Products Liability Litigation*, 591 F.3d 613 (8th Cir. 2010) and numerous similar rulings of this District.

2. As the law is quite clear on this matter and to prevent unnecessary delay in pursuing Plaintiffs' claims, Plaintiffs respectfully request that the Court grant expedited consideration to Plaintiffs' Motion to Remand.

3. Plaintiffs incorporate by reference the Memorandum in Support of Plaintiffs' Motion to Remand and Request for Expedited Consideration filed simultaneously with this Motion.

WHEREFORE, Plaintiffs respectfully move this Court to grant Plaintiffs' Motion to Remand, enter an order remanding this case to the 22nd Judicial Circuit (City of St. Louis) of the

State of Missouri pursuant to 28 U.S.C. §1447(c), and order Defendant to pay the costs associated with the removal of this cause of action.

Respectfully submitted,

/s/ Andrew S. Williams

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on the 27th of March, 2012 the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification to all parties of record.

/s/ Andrew S. Williams
